

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)	Case No. 08-18624
)	Chapter 13
ANITA M. BUONINCONTRO,)	Judge John H. Squires
)	
Debtor.)	

**MOTION TO DISMISS
FOR FAILURE TO MAKE PLAN PAYMENTS**

NOW COMES WEST TOWN SAVINGS BANK ("WEST TOWN"), a secured Creditor of the Debtor in the subject case, by and through its attorney, Kemp & Grzelakowski, Ltd. and requests dismissal of the above case pursuant to Section 1307(c)(6), and in support thereof, states as follows:

1. The Debtor filed a Petition under Chapter 13 of the Bankruptcy Code on July 21, 2008.
2. The Debtor's Modified Chapter 13 Plan dated February 16, 2009 (the "Plan") was confirmed on March 4, 2009.
3. Pursuant to the Plan, Debtor is to pay directly to WEST TOWN her monthly payment in the amount of \$1,011.69. The total amount of payments due from the date of the filing of Debtor's Petition is \$14,163.66. Through September 17, 2009, Debtor has paid to West Town the amount of \$13,751.03, thereby resulting in a delinquency in the amount of \$412.63.
4. In addition, Debtor has failed to pay real estate taxes on the real property that secures Debtor's obligation to WEST TOWN. The first installment of the 2008 Cook County real estate taxes were due March 3, 2009 in the amount of \$1,766.17; as of

September 17, 2009, the amount due, including interest, is \$1,951.60. The second installment of the 2008 real estate taxes has not yet been billed by the Cook County Treasurer.

5. The Affidavit of Kevin Kosobucki, Vice President of WEST TOWN, is attached hereto in support of WEST TOWN's Motion.

WHEREFORE, WEST TOWN SAVINGS BANK prays that the subject case be dismissed for material default by the Debtor with respect to the terms of the confirmed Plan, pursuant to Section 1307(c)(6).

Respectfully submitted,
WEST TOWN SAVINGS BANK

/s/Eugene J. Rudnik, Jr.
one of its attorneys

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